

REMARKS

This Reply is in response to the Office Action mailed on June 30, 2004 in which Claims 12 and 19-20 were objected to and in which Claims 1-11, 13-18 and 21-25 were rejected. With this response, Claims 11-12 and 19 are cancelled, Claims 1, 4-8, 10, 13, 18, 20 and 23-25 are amended, and Claims 26-33 are added. Claims 1-10, 13-18 and 20-33 are presented for reconsideration and allowance.

I. Objection to the Drawings.

Paragraph 1 of the Office Action objected to the drawings by asserting that Figure 1 should be designated by a legend such as --prior art-- and that reference character "98" in Figure 10 should be revised to reference numeral "92". In response, Figures 1 and 10 are amended as suggested by the Examiner as indicated in red and circled on the attached annotated drawing sheets. A letter to the official draftsman requesting such changes is also filed herewith. A complete set of replacement sheets are also filed herewith. Accordingly, Applicants request that the objection to the drawings be withdrawn.

II. Objection to the Disclosure.

Paragraph 2 of the Office Action objected to the disclosure by noting that on page 6, line 5, it appears that "he" should be "the" instead. In response, the specification is amended to correct this typographical error. Accordingly, Applicants request that the objection to the disclosure be withdrawn.

III. Objection to the Claims.

Paragraph 3 of the Office Action objected to Claims 4-8 and 25 noting several informalities. With respect to Claim 4, the Office Action asserted that the "one or more output trays" recited in Claim 4 is not connected to the first means of separating. Claim 4 is amended to replace the phrase "one or more output trays" with "the first output tray". Independent Claim 1, from which Claim 4 depends, recites that the first means for separating includes the first output tray. Thus, Claim 4, as amended, is believed to address the objection to Claim 4.

With respect to Claim 5, line 3, the Office Action asserts that the phrase "wherein" appears to be unnecessary. However, the phrase "wherein" on line 3 is necessary. Applicants request that this objection be withdrawn.

Lastly, with respect to Claim 25, the Office Action asserted that the recitation of "said first means" has no antecedent basis. In response, Claim 25 is amended to replace the recitation of "said first means" with --said output dividers-- which now have antecedent basis in Claim 25.

IV. Rejection of Claims 1-5, 18, 23 and 25 Under 35 U.S.C. § 102(b)
Based Upon Crissy.

Paragraph 5 of the Office Action rejected Claims 1-5, 18, 23 and 25 under 35 U.S.C. § 102(b) as being anticipated by Crissy, U.S. Patent No. 2,589,676. Claims 1, 18, 23 and 25, as amended, overcome the rejection based upon Crissy.

A. Claim 1.

Independent Claim 1, as amended, recites a collator which includes a first means for selectively separating physical output from a device. The first means includes a first output tray and a second output tray. The collator further includes a second means coupled to the first means for angling and/or rotating the first output tray while the second output tray remains stationary and based on the physical output itself.

Crissy fails to disclose or suggest a collator which includes means for angling and/or rotating a first output tray while the second output tray remains stationary. In contrast, Crissy discloses a pair of continuous and endless belt chains 27 and 28 which interconnect each of trays 35 and which simultaneously move each of trays 35. Crissy does not disclose a collator wherein one tray may remain stationary while the other tray is moved. Thus, Claim 1, as amended, overcomes the rejection based upon Crissy. Claims 2-5 depend from Claim 1 and overcome the rejection for the same reasons.

B. Claim 18.

Paragraph 11 of the Office Action indicated that Claim 19 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Claim 19 is cancelled with its limitations incorporated into independent Claim 18. Thus, Claim 18, as amended, overcomes the rejection based upon Crissy and is believed to be in condition for allowance.

C. Claim 23.

Claim 23, as amended, recites a system for organizing printer output. The system includes a curved track having a first end spaced from a second end and compartments adapted to accommodate printer output media. The compartments extend along the track.

Crissy fails to disclose or suggest a system for organizing printer output wherein compartments extend along a track which has a first end spaced from a second end. In contrast, Crissy employs a pair of continuous "endless" belt chains 27 and 28. Accordingly, Claim 23, as amended, overcomes the rejection based upon Crissy.

D. Claim 25.

Claim 25, as amended, recites a method for organizing printer output. The method includes the steps of selectively separating printer output amongst output dividers and facilitating automatic non-linear positioning of the output dividers about a curved discontinuous track based upon the printer output.

Crissy fails to disclose a method for organizing printer output in which output dividers are non-linearly positioned about a curved discontinuous track based on the printer output. In contrast, Crissy discloses continuous, "endless" belt chains 27 and 28 which support trays 35. Thus, Claim 25, as amended, overcomes the rejection based upon Crissy.

V. Rejection of Claims 6-7, 10-11, 13-17 and 24 Under 35 U.S.C. § 103 Based Upon Crissy and Salgado.

Paragraph 7 of the Office Action rejected Claims 6-7, 10-11, 13-17 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Crissy in view of Salgado et al., U.S. Patent No. 5,898,592. Claims 6-7, 10-11, 13-17 and 24, as amended, overcome the rejection based upon Crissy and Salgado.

A. Claims 6 and 7.

Claims 6 and 7 depend from Claim 1 and overcome the rejections based upon Crissy and Salgado for the same reasons discussed above with respect to Claim 1.

B. Claim 10.

Paragraph 11 of the Office Action indicated that Claim 12 would be allowable if rewritten in independent form including the limitations and any intervening claims. With this Reply, Claims 11 and 12 are cancelled. The limitations of Claim 12 and intervening Claim 11 are added to base Claim 10. Accordingly, Claim 10, as amended, overcomes the rejection based upon Crissy and Salgado and is believed to be in condition for allowance. Claims 13-17 depend from Claim 10 and overcome the rejections for the same reasons discussed above with respect to Claim 10.

C. Claim 24.

Claim 24, as amended, recites a printer capable of organizing printer output. The printer includes a curved track having a first end spaced from a second end and compartments attached to the track.

Neither Crissy nor Salgado, alone or in combination, disclose or suggest a printer which includes a curved track having a first end spaced from a second end and compartments attached to the curved track. In contrast, Crissy discloses a continuous, "endless" conveyor chains 27 and 28 to which are attached trays 35. Salgado merely discloses a mailbox unit 10 which has a plurality of "fixed bins 11,

into which either single sheets, or collated and stapled or unstapled job sets of multiple sheets, are selectively fed.” (See col. 10, lines 19-22). Neither Crissy nor Salgado disclose a printer which includes a curved track having a first end spaced from a second end and compartments attached to the curved track. Thus, Claim 24, as amended, overcomes the rejection upon Crissy and Salgado.

VI. Rejection of Claim 8 Under 35 U.S.C. § 103(a) Based Upon Crissy, Salgado and Ohmichi.

Paragraph 8 of the Office Action rejected Claim 8 under 35 U.S.C. § 103 as being unpatentable over Crissy in view of Salgado and further in view of Ohmichi et al., U.S. Patent No. 5,551,680. Claim 8 depends from Claim 1 and overcomes the rejection based upon Crissy, Salgado and Ohmichi for the same reasons discussed above with respect to Claim 1. In addition, Claim 8 recites additional features which patentably distinguish Claim 8 over the prior art of record. Claim 8, as amended, recites that the curved track is shaped to enable the first output tray to sufficiently expose one or more access doors, to expose other printer features, or to selectively disable the collator.

The Office Action acknowledges that neither Crissy nor Salgado disclose a curved track shaped to enable output trays to rotate to expose one or more access doors, to expose other printer features or to selectively disable to collator. As a result, the Office Action attempts to additionally rely upon Ohmichi to satisfy this deficiency. However, Ohmichi also fails to disclose a curved track that is shaped to enable an output tray to be rotated to expose one or more access doors, to expose other printer features, or to selectively disable the collator. In contrast, Ohmichi merely discloses a camming member 51 having square threads 52. Rotation of the camming member merely moves trays 30 and 40 vertically upward and downward depending on the direction of the rotation of camming member 51. (See col. 8, lines 20-27). Nowhere does Ohmichi appear to disclose that trays 30, 40 are ever rotated. In fact, if trays 30, 40 were to rotate with camming member 51, trays 30, 40 could not be vertically lifted as required by Ohmichi. Accordingly, Claim 8, as amended, overcomes the rejection based upon Crissy, Salgado and Ohmichi.

VII. Rejection of Claim 9 Under 35 U.S.C. § 103 Based Upon Crissy and Kubota.

Paragraph 9 of the Office Action rejected Claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Crissy in view of Kubota, U.S. Patent No. 6,170,821. Claim 9 depends from Claim 1 and overcomes the rejection for the same reasons discussed above with respect to Claim 1.

VIII. Rejection of Claims 21-22 Under 35 U.S.C. § 103(a) Based Upon Crissy and Fukae.

Paragraph 10 of the Office Action rejected Claims 21-22 under 35 U.S.C. § 103(a) as being unpatentable over Crissy in view of Fukae, U.S. Patent No. 4,780,740. Claims 21 and 22 depend from Claim 18 and overcome the rejection based upon Crissy and Fukae for the same reasons discussed above with respect to Claim 18.

IX. Added Claims.

With this Reply, Claims 26-33 are added. Claims 23-33 are believed to be patentably distinct over the prior art of record. Claims 26-33 are presented for consideration and allowance.

A. Claims 26-30.

Independent Claim 26 recites a collator which includes a first divider, a second divider and a first actuator configured to non-linearly move the first divider while the second divider remains stationary. The prior art of record fails to disclose such a collator. For example, each of trays 35 of Crissy, U.S. Patent No. 2,589,676, are attached to a pair of endless chains 27, 28. Any movement of one tray 35 results in movement of the other trays 35. Claims 27-30 depend from Claim 26 and recite additional features neither taught nor suggested by the prior art of record.

B. Claims 31-33.

Added independent Claim 31 recites a printer which includes a surface and a collator. The collator includes a first divider and a second divider which are movable between a first position in which the first divider and the second divider extend over the surface and a second position in which the first divider and the second divider expose the surface. Support for added Claim 31 is found in Figures 3 and 4. Thus, no new matter is believed to have been added. The prior art of record fails to disclose a collator having a first divider and a second divider which moves between a first position in which the dividers extend over the surface and a second position in which the divider is exposed surface. For example, tray 35 of Crissy, U.S. Patent No. 2,589,676, do not move between a first position in which both dividers extend over a surface and a second position in which both dividers expose the same surface. Thus, added independent Claim 31 is presented for consideration and allowance.

Claim 32 depends from Claim 31 and further recites that the first divider and the second divider extend parallel to the surface in the first position and perpendicular to the surface in the second position. Support for added Claim 32 is also found in Figures 3 and 4. The prior art of record fails to disclose the printer recited in Claim 32.

Added Claim 33 depends from Claim 31 and further recites that the printer includes an access door that provides the surface over which the first and second dividers extend in the first position and which is exposed when the first and second dividers are in the second position. Support for added Claim 33 is found on page 9, line 23 through line 25, which recites:

In addition, some printer models may include access doors (not shown) positioned on the printer 30 between the fuser rows 24 and the collator 32. Access to such doors would be enabled by the vertical position of the trays 34.

With this Reply, Figures 3 and 4 are amended (as indicated in red and circled on the attached annotated drawing sheets) to additionally illustrate access door 57. Page 9, lines 23-24 are further amended to replace the phrase "(not shown)" with --, such as access door 57,--. The support for the amendment to Figures 3 and 4 and the specification is found on page 9, lines 23-25 of the originally filed application. Thus, no new matter is believed to have been added. The prior art of record fails to disclose or suggest a printer having first and second dividers that non-linearly move between a first position in which the dividers extend over an access door and a second position in which the first and second dividers expose the access door. Thus, added Claim 33 is presented for consideration and allowance.

X. Conclusion.

After amending the claims as set forth above, Claims 1-10, 13-18 and 20-33 are now pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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